21. (Amended) The method of claim 18 wherein the comparing comprises a determination of whether or not expected keyword data appears in the learner-constructed response, the keyword data comprising at least one synonym.

22. (Amended) The method of claim 18 wherein the comparing comprises a determination of whether or not the learner-constructed response fails a lexical analysis.

REMARKS

Claims 1-23 are pending. Claims 18-23 have been allowed. Claims 4, 8 and 14 were rejected to as being dependent upon a rejected base claim. The Examiner indicated that claims 4, 8, and 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and nay intervening claims.

The applicants thank the Examiner for all the allowed claims, and have amended the objected claims 4, 8, and 14 according to the instruction of the Examiner. Claim 4 now has incorporated all limitations of the now cancelled claim 1, and claim 8 is now dependent on claim 4. Similarly, claim 14 now includes all limitations of the now cancelled claim 12. The applicants have cancelled claims 1-3, 5-7, 9-13, and 15-17 without prejudice.

Moreover, two minor types of informality have been corrected by amending the allowed claims 19-22. One, while reciting the dependency to claim 18, which is a method claim, claims 19-22 have mistakenly use the term "program" instead of "method." Secondly, while further defining the "comparing " step of claim 18 in claims 19-22, the term "comparison" is used instead the term "comparing." Therefore, claims 19-22 have now been amended to correct these informalities.

.As such, all the claims are now ready for issuance. Should there be a need, the

Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

L. Howard Chen
Reg. No. 46,615

Dated: 6·3 2002
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972/739-6969
Facsimile: 972/692-9069
File: 29554.3
R-23766_1.doc

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box Fee Amendment, Washington, D.C. 20231

on _____June 3, 2002_____

4

Marked-up Claims Pursuant to CFR § 1.121

4.   (Amended) <u>A computer program for implementing a learning system with a learner-constructed response based methodology, comprising:</u>

<u>a presentation process for presenting at least one knowledge topic to the learner and for prompting the learner to enter a learner constructed response thereto;</u>

<u>an evaluation information process for providing keyword data that corresponds to the knowledge topic; and</u>

<u>an evaluation process for determining, based upon entry of a learner-constructed response to the knowledge topic, success or failure of the learner to know the knowledge topic, the success or failure being determined by comparison of the learner-constructed response with the keyword data</u> [The program of claim 1] wherein upon a determination of failure of the learner, remedial information is provided to the learner before the learner is prompted to enter another learner-constructed response.
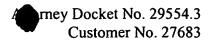
8.   (Amended) The program of claim [1] <u>4</u> wherein the comparison comprises a determination of whether or not expected keyword data appears in the learner-constructed response, the keyword data comprising at least one synonym.

14.   (Amended) <u>A method for implementing an automated learning system comprising:</u>

<u>presenting at least one knowledge topic to the learner and for prompting the learner to enter a learner constructed response thereto;</u>

<u>comparing keyword data that corresponds to the knowledge topic with the learner-constructed response; and</u>

<u>determining success or failure of the learner to know the knowledge topic, the success or failure being determined by whether or not expected keyword data appears in the learner-constructed response,</u>[The method of claim 12] wherein upon a

determination of failure of the learner, remedial information is provided to the learner before the learner is prompted to enter another learner-constructed response.

19.   (Amended) The [program] method of claim 18 wherein the [comparison] comparing comprises a determination of whether or not expected keyword data appears in the learner-constructed response, the keyword data comprising at least one exact keyword.

20.   (Amended) The [program] method of claim 18 wherein the [comparison] comparing comprises a determination of whether or not expected keyword data appears in the learner-constructed response, the keyword data comprising at least one exact phrase.

21.   (Amended) The [program] method of claim 18 wherein the [comparison] comparing comprises a determination of whether or not expected keyword data appears in the learner-constructed response, the keyword data comprising at least one synonym.

22.   (Amended) The [program] method of claim 18 wherein the [comparison] comparing comprises a determination of whether or not the learner-constructed response fails a lexical analysis.